

NOTICE OF PROPOSED CHANGES IN THE
REGULATIONS OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

The Department of Environmental Conservation (DEC) proposes to adopt regulation changes in Title 18 of the Alaska Administrative Code, dealing with Chapter 70, Water Quality Standards, including the following:

DEC proposes to add a narrative water quality standard for waters where the natural condition is of lower quality than the statewide water quality criteria, and to remove the site specific criteria provision for natural conditions in 18 AAC 70.235(b). The proposed narrative standard will adopt by reference the *Guidance for the Implementation of Natural Conditions-Based Water Quality Standards*.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jim Powell at the Department of Environmental Conservation, 610 University Ave, Fairbanks, Alaska 99709, by fax to (907) 451-2187 or by e-mail to Jim_Powell@dec.state.ak.us. The comments must be received no later than 5:00 p.m. on October 1, 2006.

DEC will hold public workshops to discuss the proposed regulations from 4 p.m. until 6 p.m. on:

August 29, at the Fairbanks Legislative Information Office, 119 N Cushman Ste 101;
August 30, at the Anchorage Legislative Information Office, 716 W 4th Ave. Ste 200; (you may attend this workshop telephonically by dialing 888-295-4546);
August 31, at the Juneau Legislative Information Office, State Capitol, Terry Miller Building, Suite 111.

Oral or written comments may be submitted at a public hearing to be held on September 18, 2006 from 4 p.m. to 6 p.m. at the

Legislative Information Office
716 W. 4th Ave, Suite 200
Anchorage, Alaska.

The hearing may be extended to accommodate those present before 5:30 p.m. who did not have an opportunity to comment. Those in outlying areas who wish to participate in the Anchorage hearing or provide oral testimony at the hearing may do so telephonically by calling 888-295-4546. Please call-in by 4:30 p.m. to register your intent to participate.

The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act of 1990. If you are a person with a disability who may need a special accommodation in order to participate in this public process, please contact Deborah Pock at (907) 269-0291 or TDD Relay Service 1-800-770-8973/TTY or dial 711 no later than August 22, 2006 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Brenda Duty at 610 University Drive, Fairbanks, Alaska 99709 or email Brenda_Duty@dec.state.ak.us, or go to DEC's Notices of Proposed Regulations section on the state's Online Public Notice Website at <http://notes.state.ak.us/pn/pubnotic.nsf>. Background information and a fact sheet explaining the proposed regulation can be found at <http://www.dec.state.ak.us/water/wqsar/trireview/naturalconditions.htm>.

After the public comment period ends on October 1, 2006, the Department of Environmental

Conservation will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.** Written comments received are public records and subject to public inspection.

Statutory Authority: AS 46.03.010; AS 46.03.020; AS 46.03.050; AS 46.03.070; AS 46.03.080; AS 46.03.710.

Statutes Being Implemented, Interpreted, or Made Specific: AS 46.03.070; AS 46.03.080; AS 46.03.100; AS 46.03.110; AS 46.03.710.

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: August 16, 2006

_____/s/
Kurt Fredriksson, Commissioner

ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Department of Environmental Conservation.
2. General subject of regulation: Water Quality Standards, natural conditions.
3. Citation of regulation (may be grouped): 18 AAC 70.
4. Reason for the proposed action: Development of program standards.
5. BRU/component affected: Division of Water/Water Quality.
6. Cost of implementation to the state agency and available funding (in thousands of dollars):
There will be no implementation costs.

7. The name of the contact person for the regulations:

Name Nancy Sonafrank
Title Program Manager
Address 610 University Drive
Fairbanks, AK 99709
Telephone (907) 451-2726
E-mail address Nancy_Sonafrank@dec.state.ak.us

8. The origin of the proposed action: staff of state agency

9. Date: August 16, 2006

Prepared by:

_____/s/
Name Nancy Sonafrank
Title Program Manager
Telephone: (907) 451-2726